

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 92-110-C - ORDER NO. 92-121
FEBRUARY 18, 1992



RE: Dual Party Relay System) PETITION FOR REHEARING
) AND/OR RECONSIDERATION
)

COMES NOW SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY (hereinafter "Southern Bell" or "Company") and, pursuant to S.C. Code Ann. §§58-9-1200 and 1-23-10, et seq. (Supp. 1990), and the Rules and Regulations of this Commission, files its Petition whereby it asks the Commission to Rehear and/or Reconsider certain portions of its Order numbered 92-121. In support hereof, the Company shows as follows:

1.

On February 18, 1992, the Public Service Commission of South Carolina issued its Order No. 92-121 which granted the Applicant its Certificate of Public Convenience and Necessity to Operate as a reseller of telecommunications services within the State of South Carolina. That Order was received by the Company on February 24, 1992. Portions of that Order, however, are unclear or otherwise in contravention of the laws and constitutions of South Carolina and the United States.

POSTED
3/5/92

1

ACCEPTED
Adm. Cur 3/5/92 JAL
Legal Bon 3/5/92
Util. W 34-92
Trans. _____

Hand
delivered
3/3/92 JH

2.

Specifically, Southern Bell asks that the Commission rehear argument and reconsider the requirement that "the local exchange companies remit the charges collected from their customers to the Commission on or before the 10th day of each month."

This requirement places Southern Bell in the untenable position of being ordered to perform a function that it is not capable of performing. Southern Bell is unable to comply with that portion of the Commission's Order. The amount of revenue that Southern Bell would remit to the Commission cannot be determined until Southern Bell's accounting records are finalized each month. These records are finalized by the 9th of each month. Southern Bell is not capable of preparing the voucher; having the voucher processed and audited by its accounting department in Atlanta, Georgia; having the draft prepared by its treasury department in Atlanta, Georgia; and physically delivering the draft to the Commission by the 10th of each month since the process cannot begin until the records are closed on the 9th.

Therefore, Southern Bell requests that the Commission change its Order to require that the local exchange companies remit the charges collected from their customers to the Commission on or before the 15th day of each month.

Similarly, Southern Bell requests that the next sentence be changed to require that the local exchange companies shall submit their first remittance to the Commission on or before May 15, 1992.

3.

As outlined above, portions of Order No. 92-121 are clearly in violation of constitutional and statutory provisions made upon unlawful procedure and are in contravention of the laws of this State and the United States.

WHEREFORE, Southern Bell Telephone and Telegraph Company respectfully requests that the Commission rehear and/or reconsider its Order No. 92-121 consistent with this Petition.

Respectfully submitted,

SOUTHERN BELL TELEPHONE AND
TELEGRAPH COMPANY

CN Watson

Fred A. Walters
Caroline N. Watson
Suite 821, 1600 Hampton Street
Post Office Box 752
Columbia, South Carolina 29202
(803) 748-8777


Columbia, South Carolina

March 3, 1992

STATE OF SOUTH CAROLINA)
) CERTIFICATE OF SERVICE
COUNTY OF RICHLAND)

PERSONALLY APPEARED before me, Jeanette B. Mattison, who being duly sworn, deposes and says that she is employed by the Legal Department of Southern Bell Telephone and Telegraph Company and that she has caused the Petition for Rehearing and/or Reconsideration of Southern Bell in Docket No. 92-110-C to be served this March 3, 1992, by placing such in the care and custody of the United States Postal Service, with first-class postage affixed thereto and addressed to the following:

Marsha A. Ward, Esquire
General Counsel
S. C. Public Service Commission
Post Office Box 11649
Columbia, South Carolina 29211


Jeanette B. Mattison

SWORN TO AND SUBSCRIBED before me

this 3rd day of March, 1992


_____(L.S.)
Notary Public of South Carolina

My Commission Expires: 2-28-99